THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.26655 of 2005

Dated: 14-12-2005

Between:

Katherapaka Lakshmi, W/o.Late K.Balaiah.

.. PETITIONER

AND

The Government of Andhra Pradesh and others.

.. RESPONDENTS

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ORDER:

The petitioner made an application to the Executive Officer of Sri Raja Rajeswara Swamy Devasthanam, Vemulawada, Karimnagar District, the third respondent herein, seeking appointment on compassionate grounds. She pleaded that her husband K.Balaiah, who was employed in the Temple, died, while in service. The application was forwarded to the Commissioner of Endowments-second respondent, who in turn passed an order dated 12-04-2005 permitting the third respondent to appoint the petitioner on compassionate grounds. On the next day itself, an order of appointment was passed in favour of the petitioner.

The Government of Andhra Pradesh-first respondent issued orders in G.O.Ms.No.1422, Revenue (Endowments.I), dated 25-07-2005 cancelling all the appointments and promotions that were made during the tenure of the then Commissioner. The case of the petitioner was also referred to in it. Consequently,

the third respondent issued order dated 13-08-2005 terminating the services of the petitioner. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner, the learned Government Pleader for Endowments and the learned Standing counsel for the third respondent.

The impugned order is passed by the third respondent, consequent upon the orders issued by the first respondent in G.O.M.No.1422, dated 25-07-2005. Recently, batch of writ petitions was filed assailing the order in G.O.Ms.No.1422 as well as the consequential order. This court took the view that before invoking the powers under Section 93 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for short "the Act"), the first respondent was under an obligation to hear the aggrieved parties. The first respondent was directed to issue notice to the aggrieved parties and to pass final orders. It was also observed that status-quo obtaining as on the date of passing of those orders shall be maintained till the whole exercise is completed.

In view of the same, the writ petition is disposed of, with the following directions:

(a) The first respondent shall issue notice to the petitioner herein, within a period of two weeks from the date of receipt of a copy of this order, pointing out the reasons on the basis, of which, it proposed to interfere with the order of appointment of the petitioner and the petitioner shall be entitled to submit her explanation to the same.

(b) On receiving the explanation from the petitioner, the first respondent shall pass appropriate orders within four week thereafter.

There shall be no order as to costs.

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14-12-2005

Note:

Issue C.C. by three days.

(B/o)

Prv